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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/200,985 11/30/98 KIM

M Y09-98-446

EXAMINER

TM02/0911

MCGUIREWOODS, LLP.  
1750 TYSONS BLVD.  
SUITE 1800  
MCLEAN VA 22102-4215

NGUYEN, M

ART UNIT

PAPER NUMBER

2176

DATE MAILED:

09/11/01

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.

09/200,985

Applicant(s)

KIM ET AL.

Examiner

Maikhanh Nguyen

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 03 November 1998.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.

- 18) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: \_\_\_\_\_.

***DETAILED ACTION***

1. The action is responsive to communications: original application filed on 11/03/1998 and the IDS filed on 11/30/1998.
2. Claims 1-4 are currently pending in this application. Claim 1 is independent.

***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 3-4 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 3 recites the limitations:

- “the label Px” (claim 3 , line 4)
- “the bounds” (claim 3, line 13)

There are insufficient antecedent basis for these limitations in the claims.

4. Claims 3-4 would be allowable if rewritten to overcome the rejections under 35 U.S.C. 112 , 2<sup>nd</sup> paragraph, set forth in this Office Action and to include all of the limitations of the base claim and any intervening claims.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 and 2 are rejected under 35 U.S.C. 102(b) as being anticipated by **Kim et al.** (U.S 5,659,790) as cited by applicant on IDS filed on 11/30/1998.

**As to independent claim 1**, Kim teaches a method of progressive time stamp (ranges of time intervals; col.2, lines 1-25) resolution in a multimedia presentation (multimedia presentation; col.2, lines 1-25) comprising the steps of:

- supplying a player (user interactive screen; col. 5, lines 41-67) of a multimedia presentation (multimedia presentation; col.2, lines 1-25) with information comprising two labels, one for a multimedia object's (multimedia objects; col.4, lines 48-64) start time (the process starts; col.6, lines 3-12) and one for the multimedia object's (multimedia objects; col.4, lines 48-64) end time (process ends; col.6, lines 54-63) relative to other multimedia object start and stop times (temporal relations; col.5, lines 1-67), and three durations (time durations; col.5, lines 1-67), a minimum duration (a minimum length; col.4, lines 1-41), a maximum duration (a maximum length; col.4, lines 1-41) and a preferred duration (an optimum length; col.4, lines 1-41) for each multimedia object prior to start playback (playback; col.3, lines 40-48) of the multimedia object; and

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- resolving the durations of multimedia objects using said information based on actual multimedia object duration and arrival of information of multimedia objects to be played (provides the basic measure for multimedia objects ..... provides a reference to inter-relate various multimedia objects; col.4, lines 1-67).

**As to dependent claim 2**, Kim teaches (col.6, lines 1-67) the step of resolving comprises the steps of:

- calculating minimum and maximum end times for over all multimedia objects (the different between the specified optimal play duration of the episode and the schedule play duration)

- calculating actual end times that are shared by all multimedia objects (get the global minimum and maximum lengths)

- recalculating a preferred duration of each multimedia object (the schedule for the multimedia story is output and the multimedia document is run according to the schedule in output block).

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Milne et al.	U.S Patent No. 5,680,639	issued dated: Oct 21, 1997
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Milne et al.	U.S Patent No. 5,553,222	issued dated: Sep. 3, 1996
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Tindell et al.	U.S Patent No. 5,596,696	issued dated: Jan. 21, 1997
Tobias, II et al.	U.S Patent No. 5,388,264	issued dated: Feb. 7, 1995
Buchanan et al.	U.S Patent No. 5,515,490	issued dated: May 7, 1996

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Maikhanh Nguyen whose telephone number is (703) 306-0092. The examiner can normally be reached on Monday - Friday 8:30 am through 6:00 pm except the second Friday of each biweek.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather R Herndon can be reached on (703) 308-5186. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-5403 for regular communications and (703) 308-5403 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9000.

8. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Or fax to:

(703) 308-9051 (for formal communications intended for entry)

or


(703) 305-9724 (for informal or draft communication, please label  
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,

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Arlington, VA, Sixth Floor (Receptionist).

Maikhanh Nguyen  
September 10, 2001

  
HEATHER R. HERNDON  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100